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Docket No. 60240/JPW/SHS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Ilya Trakht et al.  
Serial No. : 09/664,958  
Filed : September 18, 2000  
For : NOVEL TUMOR-ASSOCIATED MARKER

1185 Avenue of the Americas  
New York, New York 10036  
June 18, 2001

Assistant Commissioner for Patents  
Washington, D.C. 20231

ATTN: Box Missing Parts

Sir:

COMMUNICATION IN RESPONSE TO NOVEMBER 24, 2000  
NOTICE TO FILE MISSING PARTS OF APPLICATION FILING  
DATE GRANTED AND PETITION FOR A FIVE MONTH EXTENSION OF TIME

This Communication is submitted in response to the November 24, 2000 Notice to File Missing Parts of Application - Filing Date Granted issued by the United States Patent and Trademark Office in connection with the above-identified application. A response to this November 24, 2000 Notice was originally due January 24, 2001. Applicants hereby petition for a five month extension of time. Applicants previously established small entity status. The required fee for a five month extension of time for a small entity is \$945.00 and a check which includes this amount is enclosed. Therefore a response is now due June 24, 2001. Accordingly, this Communication is being timely filed.

The Notice to File Missing Parts of Application indicates that the oath or declaration is unsigned. Applicants attach hereto a copy of the Notice as **Exhibit A**. In response, applicants submit as **Exhibit B** hereto a signed Declaration and Power of Attorney pursuant to 37 C.F.R. §1.53(f). In compliance with 37 C.F.R. §1.63, the Declaration refers to the application's above-identified serial number and filing date.

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The Notice states that the surcharge under 37 C.F.R. §1.16(e) for responding to the Notice to File Missing Parts of Application under 37 C.F.R. §1.53(d) is ONE HUNDRED AND THIRTY DOLLARS (\$130.00). However, applicants previously established Small Entity Status on November 20, 2000 and such status is still applicable. Therefore, the surcharge under 37 C.F.R. §1.16(e) is \$65.00 and a check which includes this amount is enclosed.

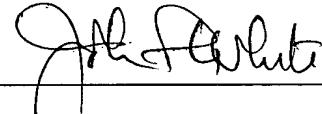
In addition, applicants point out that they previously requested a refund on November 20, 2000 for any fees paid in excess of those fees required for a small entity. Such request was timely made, i.e. within two months of payment. Accordingly, in the event that the United States Patent and Trademark Office charged any fees in addition to those required for a small entity, applicants hereby request a refund for any such fees. This refund should be credited to Deposit Account No. 03-3125 under Docket No. 60240.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone the number provided below.

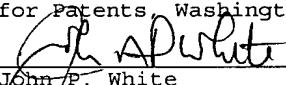
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No fee, other than the enclosed fee of \$1010.00 fee, which includes the \$65.00 surcharge fee and the \$945.00 fee for a five month extension of time, is deemed necessary in connection with the filing of this Communication. If any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



John P. White  
Registration No. 28,678  
Spencer H. Schneider  
Registration No. 45,923  
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(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.  
 6/18/01  
John P. White Date  
Reg. No. 28,678  
Spencer H. Schneider  
Reg. No. 45,923

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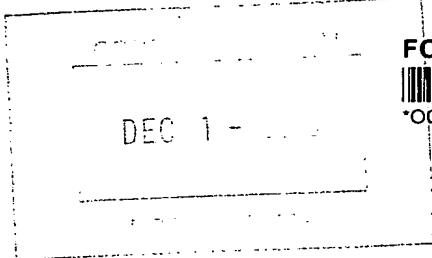


UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/664,958	09/18/2000	Dr. Ilya Trakht	0575/60240/JPW/EMW/MM

Cooper & Dunham LLP  
1185 Avenue of the Americas  
New York, NY 10036



FORMALITIES LETTER



\*OC000000005575214\*

Date Mailed: 11/24/2000

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

***Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice MUST be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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